

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In The Matter Of )

Amendment of Section 73.202(b) )  
Table of FM Allotments )  
(Coolidge and Gilbert, )  
Arizona) )

MM Docket No. 95-109  
RM-8665

To: The Chief  
Allocations Branch

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SUPPLEMENTAL COMMENTS

Rainbow Broadcasting, Inc. ("Rainbow"), licensee of Station KBZR(FM), Coolidge, Arizona ("Station"), by its attorneys and pursuant to Section 1.415(d) of the Commission's Rules,<sup>1</sup> hereby submits its Supplemental Comments in the above-referenced proceeding. In support thereof, Rainbow states as follows.

1. The instant proceeding involves a request by Rainbow to amend the Table of Allotments so that the community of license for the Station is changed from Coolidge to Gilbert, Arizona and the class of channel is modified from C3 to C2, with those changes reflected in the Station's license. Rainbow filed Comments in support of this proposed change in the Table of Allotments on September 6, 1996. It now seeks to supplement this filing with additional information relevant to the actions the Commission has been asked to undertake.

2. In Headland, Alabama and Chattahoochee, Florida, 10 FCC Rcd 10352 (1995), the Commission recently revised its standards as

<sup>1</sup> A Motion for Leave to File Supplemental Comments is being filed simultaneously herewith.

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to when a party seeking to change a Station's community of license must address the criteria enumerated in RKO General (KFRC), 5 FCC Rcd 3222 (1990) ("KFRC") and Faye and Richard Tuck, 3 FCC Rcd 5374 (1988) ("Tuck"). See also Walterboro and Ridgeville, South Carolina, DA 96-65, released February 7, 1996. Therein, the Commission held that the threshold for KFRC and Tuck showings was where the reallocation would result in the station placing a 70 dBu signal over 50% or more of the affected Urbanized Area. Where this threshold was not met, the Commission would look solely to the criteria contained in Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992) ("FM Assignment Policies").

3. Rainbow has examined its proposal in light of the new criteria applicable to the KFRC and Tuck showings. As evidenced by the attached exhibit, the reallocation will only result in a signal that reaches 24.9% of the Phoenix Urbanized Area. As a consequence, the Commission need not reach the KFRC and Tuck showing that Rainbow made in its Comments filed prior to the change in policy.

4. Considering that KFRC and Tuck are not applicable to the instant proceeding, application of the standards set out in FM Assignment Policies calls for the adoption of the requested changes in the Table of Allotments. Walterboro and Ridgefield, South Carolina, supra. The fact that the reallocation will result in the initiation of the first aural service to Gilbert, while Coolidge continues to have aural service, meets the highest priority the Commission has in its allotment policies. Id. Under

the circumstances, there is every reason to adopt the requested changes.

WHEREFORE, for the foregoing reasons, Rainbow Broadcasting, Inc. respectfully requests that the Commission grant the requested change in the Table of Allotments and, thereby, amend Section 73.202(b) of the Commission's rules to reallocate Channel 280 from Coolidge to Gilbert, Arizona as a Class C2 facility, and issue an order modifying the Station's license to change its community of license accordingly.

Respectfully submitted,

**RAINBOW BROADCASTING, INC.**

By: 

Barry A. Friedman  
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Its Attorneys

Dated: February 13, 1996

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**SUPPLEMENTAL ENGINEERING STATEMENT  
RM-8665, MASS MEDIA DOCKET NUMBER 95-109  
RAINBOW BROADCASTING, INC.  
STATION KBZR GILBERT, ARIZONA**

**INTRODUCTION**

This engineering statement has been prepared on behalf of Rainbow Broadcasting, Inc. (hereinafter Rainbow), licensee of station KBZR(FM), channel 280C3 (103.9 megahertz), Coolidge, Arizona, and proponent for the substitution of channel 280C2 at Gilbert, Arizona, for channel 280C3 at Coolidge, Arizona, and concomitant modification of the KBZR license to specify operation on channel 280C2 at Gilbert in Federal Communications Commission (hereinafter FCC) rule making, RM-8665, Mass Media Docket Number 95-109, to present supplemental engineering data pertinent to the proposed channel reassignment.

As reported in earlier engineering documents submitted by Rainbow in support of RM-8665, a portion<sup>1</sup> of the proposed principal community of Gilbert, Arizona, lies within the Phoenix Urbanized Area, as defined in the 1990 United States Census, but the predicted 3.16 mV/m (70 dBu) principal community coverage contour resulting from maximum permissible channel

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<sup>1</sup> 97.8% of the 1990 Gilbert Census population and 73.3% of the 1990 Gilbert land area.

**DENNY & ASSOCIATES, P.C.**  
**CONSULTING ENGINEERS**  
**WASHINGTON, DC**

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280C2 facilities located at the proposed allotment reference site would not encompass the entire Phoenix Urbanized Area. The purpose of this engineering statement is to quantify the portion of the Phoenix Urbanized Area encompassed by the 3.16 mV/m contour of the proposed KBZR channel 280C2 facility at Gilbert.

**PROPOSED KBZR CHANNEL 280C2 PRINCIPAL COMMUNITY  
COVERAGE OF PHOENIX URBANIZED AREA**

In July 1994, Rainbow submitted a Supplemental Engineering Exhibit, prepared by Jules Cohen & Associates, P.C., which contained a map identified as Figure 1 that showed the predicted coverage contours of the proposed KBZR channel 280C2 Gilbert facility relative to the 1990 Census definition of the Phoenix Urbanized Area. Using the predicted 3.16 mV/m contour distances shown on this map, an original 1990 Census Bureau map depicting the Phoenix Urbanized Area, a compensating polar planimeter, and the detailed Phoenix Urbanized Area 1990 population and land area data found in Table 23, *Population, Housing Units, and Land Area for Urbanized Area, 1990*, of Census publication 1990 CPH-2-4, entitled *Population and Housing*

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*Unit Counts Arizona*, the following data concerning the proposed KBZR principal community coverage were determined:

<u>Minor Civil Division</u>	<u>1990 Population</u>	<u>1990 Land Area</u> (Square Kilometers)
<b>Maricopa County</b>	-----	-----
<u><b>Chandler Division</b></u>	-----	-----
Chandler city (pt.)	57,724	68.9
Gilbert town (pt.)	1,424	12.3
Mesa city (pt.)	2,497	17.2
Tempe city (pt.)	3,982	5.0
<u><b>Phoenix Division</b></u>	-----	-----
Apache Junction city (pt.)	169	0.1
Chandler city (pt.)	23,827	13.1
Gilbert town (pt.)	27,126	39.2
Mesa city (pt.)	285,594	263.0
Scottsdale city (pt.)	7,536	6.4
Tempe city (pt.)	70,679	49.3
<u><b>Salt River Division</b></u>	1,178	3.1
<b>Total</b>	<b>481,736</b>	<b>477.6</b>

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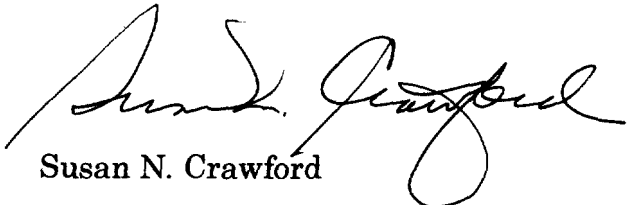
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As defined in the 1990 Census and reported in earlier Rainbow filings in this proceeding, there are 2,006,239 persons and 1,919.4 square kilometers of land area within the Phoenix Urbanized Area. Thus, the predicted 3.16 mV/m principal community coverage contour for the proposed KBZR channel 280C2 facilities encompasses 24.0 percent of the population and 24.9 percent of the land area within the Phoenix Urbanized Area.

I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge. Executed on February 12, 1996.

  
Susan N. Crawford